

THE UNITED STATES
DISTRICT COURT OF
THE NORTHERN DISTRICT OF
OKLAHOMA

FILED

JAN 20 2022

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

PAUL TAY

PETITIONER

22CV-040 TCK-SH

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THE HONORABLE

JOSEPH R. BIDEN, RESPONDENT,

PETITION FOR WRIT OF MANDAMUS TO ENJOIN
 THE U.S. MILITARY COMMANDER-IN-CHIEF
 REMOVE INTRUDERS DEFINED BY ART. 15
1856 TREATY WITH CREEKS AND SEMINOLES

COMES NOW, THE PETITIONER BRINGS THE ABOVE-STYLED
 CAUSE, ON GROUNDS THE SUPREME COURT RECOGNIZES
 CREEK TREATIES IN FULL FORCE AND EFFECT, AND PRESENT
 EXTRAORDINARY CIRCUMSTANCES THAT WOULD REQUIRE THIS
 COURT TO IMMEDIATELY ASSUME JURISDICTION OF THE
 MATTER.

THE VENUE IS PROPER, UNDER THE MANDAMUS
 ACT. THE PETITIONER ASSERTS ARTICLE III STANDING
 ON GROUNDS AN INTRUDER, TULSA POLICE DEPARTMENT,
 ILLEGALLY ARRESTED THE PETITIONER, EXERCISING
 INCOMPETENT STATE JURISDICTION NOT AUTHORIZED
 BY TREATIES OR FEDERAL LAW.

ANOTHER INTRUDER, STATE OF OKLAHOMA,
 WITHOUT TREATY-DEFINED COMPETENT JURISDICTION
 ON MUSCOGEE (CREEK) NATION, IS HOLDING THE
 PETITIONER IN DAVID LMOSS DETENTION CENTER AND
 INTENTS TO PROCEED TO TRIAL.

ART. 4, 1856 TREATY WITH CREEKS AND SEMINOLES RESTRICTS THE POWER OF THE UNITED STATES TO INCLUDE THE LAND EMBRACED WITHIN THE MUSCOKEE (CREEK) NATION IN THE STATE OF OKLAHOMA.

SHE CONTINUES HER LONG HISTORICAL UNLAWFUL PROSECUTORIAL PRACTICES, INDICTED BY THE SUPREME COURT AS "LIKELY ILLEGAL," TO TRY, CONVICT, AND SENTENCE PERSONS FOUND GUILTY OF VIOLATING HER LAWS WHILE ON THE MUSCOKEE NATION.

ARTICLE 15, 1856 TREATY DEFINES INTRUDERS AS PERSONS ON THE MUSCOKEE (CREEK) NATION WHO ARE NOT 1) THE NATION'S CITIZENS BY BLOOD; 2) UNITED STATES AGENTS TASKED WITH REMOVING DEFINED INTRUDERS; AND 3) DO NOT HAVE THE NATION'S EXPRESSED CONSENT ALLOWING PRESENCE ON THE NATION'S LAND.

THE RESPONDENT HAS CLEAR COMPELLING DUTY TO ENFORCE ART. 15, PURSUANT TO FEDERAL LAW, 25 U.S.C §180.

CONCLUSIONS OF LAW

THE RESPONDENT FAILURE TO ENFORCE ART. 15 VIOLATES TREATY OBLIGATIONS AND FEDERAL LAW.

THE PETITIONER IS ENTITLED TO THE ABOVE-STYLED CAUSE WHERE THE RESPONDENT'S INACTION IS EXTRAORDINARY, IN BLATANT CONTRAVENTION OF THE RULE OF LAW.

TULSA POLICE DEPARTMENT AND STATE OF OKLAHOMA, AND ALL OTHER DERIVATIVE POLITICAL SUBDIVISIONS ARE ART. 15 INTRUDERS ON THE MUSCOKEE NATION.

THE PETITIONER AND OTHERS SIMILARLY SITUATED
SUFFERED AND WILL SUFFER WITHOUT ENFORCEABLE
COURT ORDER UPON THE RESPONDENT.

RESPECTFULLY,

Paul Teg

PETITIONER- PRO SE

H1163908

DAVID L MASS

300 N DENVER

OKLA, OK 74103

STATEMENTS OF THE CASE

- 1). THE PETITIONER IS CURRENTLY IN PRE-TRIAL DETENTION AT DAVID L MOSS DETENTION CENTER, 300 N DENVER, TULSA, OK 74102.
- 2) IN THE CASE IN TULSA COUNTY, STATE OF OKLAHOMA, CF- 2021- 3343, THE PETITIONER CHALLENGES "OKLAHOMA'S AUTHORITY TO TRY NON-INDIAN'S FOR CRIMES AGAINST NON-INDIAN ON LAND IN QUESTION," INDIAN TERRITORY, DEFINED BY ART. 4, 1856 TREATY WITH CREEKS AND SEMINOLES, AND FEDERAL LAW, 18 USC 1151.
- 3) IN MAJORITY OPINION OF McGIRT V OKLAHOMA, 140 S.Ct, 2452, THE RESPONDANT CITED UNITED STATES V. McBRATNEY, 104 U.S. 621 (1882) TO SUPPORT ITS CLAIM, "NOTHING WE MIGHT SAY TODAY COULD UNSETTLE OKLAHOMA'S AUTHORITY TO TRY NON-INDIANS FOR CRIMES AGAINST NON-INDIANS ON THE LANDS IN QUESTION."
- 4). WORCESTER HELD THAT GEORGIA SHALL NOT EXTEND ITS JURISDICTION ON INDIAN TERRITORY.
- 5) ARTICLE 4, 1856 TREATY WITH CREEKS AND SEMINOLES STIPULATES, "THAT NO PORTION OF EITHER OF THE TRACTS OF COUNTRY DEFINED IN THE FIRST AND SECOND ARTICLES OF THIS AGREEMENT SHALL EVER BE EMBRACED OR INCLUDED WITHIN, OR ANNEXED TO, ANY TERRITORY OR STATE."